

Notice of Allowability

Application No.

09/395,262

Examiner

Cheukfan Lee

Applicant(s)

JONES, ARLIN R.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed April 13, 2007.
2. ☒ The allowed claim(s) is/are 13,14,16-18,21, and 22, now renumbered 1-7, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Cheukfan Lee

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Gregg W. Wisdom on May 15, 2007. Mr. Wisdom agreed to cancel claim 20 and change "includes" to "including" as addressed below to place the application in condition for allowance. Independent claim 20 is a combination of previous rejected claims 18 and 20.

3. Please amend the claims as follows:

Cancel claim 20.

In claim 13, lines 12, 16, 18, and 21, replace "includes" to – including --.

In claim 16, lines 12, 18, 22, and 26, replace "includes" to – including --.

In claim 17, lines 11, 17, 22, and 25, replace "includes" to – including --.

In claim 18, lines 14, 17, and 20, replace "includes" to – including --.

In claim 21, lines 12, 17, 23, and 27, replace "includes" to – including --.

In claim 22, lines 12, 19, 23, and 27, replace "includes" to – including --.

4. The following is an examiner's statement of reasons for allowance:

Claims 13, 14, 16-18, 21, and 22 are allowable over the prior art of record.

Claim 13 as amended includes limitations of claim 14, now canceled, which was indicated to contain allowable subject matter in the previous Office action mailed Jan. 11, 2007. The reason for allowance for claim 14 given in that previous action is modified for claim 13. Claim 13 is allowable because the closest prior art Tom et al. (U.S. Patent No. 6,369,918) does not disclose configurations of a controller as claimed, including a configuration to actuate the scanning mechanism to move the optical sensor or image sensor in a first direction the object or original moves during the scanning for a first distance substantially equal to a sum of the deceleration distance of the object or original and an acceleration distance of the object, and a configuration to actuate the moving mechanism to move the first section of the object or original past the optical sensor or image sensor at the first substantially constant speed in the first direction, in combination with other limitations of claim 13. Tom et al. does not disclose both moving the image sensor and moving the original, in reducing or eliminating image distortion due to deceleration and acceleration. The case of Tom et al. where the original is moved instead of the image sensor, suggested in the statements of Tom et al. as quoted on pages 4-5 of the previous Office action, and the case where the image sensor is moved as described in the exemplary embodiments of Tom et al., do not seem to coexist in the scanning device or system for obtaining image data that is not distorted; it is either one case or the other, not both.

Claim 14 depends on claim 13.

Claim 16, now in independent form, is allowable for a reason similar to that given for claim 13. Tom et al. does not teach both moving the sensor and moving the original, in reducing or eliminating image distortion due to deceleration and acceleration. Therefore, Tom et al. does not disclose a configuration to actuate the scanning mechanism to move the optical sensor in a first direction, opposite a second direction the object moves during scanning for a first distance substantially equal to a sum of an acceleration distance of the optical sensor and an acceleration distance of the object, in combination with a configuration to actuate the scanning mechanism to move the optical sensor in the second direction for a second distance substantially equal to a sum of the acceleration distance of the object and the deceleration distance of the object at the second substantially constant speed, and other limitations of claim 16.

Claim 17, now in independent form, is allowable for a reason similar to that given for claim 13. Tom et al. does not teach both moving the sensor and moving the original, in reducing or eliminating image distortion due to acceleration and deceleration. Please refer to the reason given for claim 13.

Claim 18 as amended includes limitations of claim 19, now canceled, which was indicated to contain allowable subject matter in the previous Office action mailed Jan. 11, 2007. Claim 18 claims limitations similar to those of claim 13. The reason for allowance for claim 19 given in that previous action is modified for claim 18. Claim 18 is allowable because the closest prior art Tom et al. (U.S. Patent No. 6,369,918) does not

disclose both moving the image sensor and moving the original or media, in reducing or eliminating image distortion due to deceleration and acceleration. The case of Tom et al. where the original is moved instead of the image sensor, suggested in the statements of Tom et al. as quoted on pages 4-5 of the previous Office action, and the case where the image sensor is moved as described in the exemplary embodiments of Tom et al., do not seem to coexist in the scanning device or system for obtaining image data that is not distorted; it is either one case or the other, not both.

For claims 21 and 22, please see reasons given for claims 16 and 17, respectively, for claiming limitations similar to those of claims 16 and 17, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
May 16, 2007